

DAVID BURCHARD  
CHAPTER 13 TRUSTEE  
P.O. BOX 8059  
FOSTER CITY, CA 94404  
(650) 345-7801 FAX (650) 345-1514  
(707) 544-5500 FAX (707) 544-0475

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SANTA ROSA DIVISION**

In re:

STEVEN and HEIDI C MARTINEZ  
147 QUARRY RIDGE CT  
HEALDSBURG, CA 95448

###-##-9552 ###-##-9250  
Debtor(s).

Case No.: 10-1-4663AJ13  
Chapter 13

NOTICE BY DAVID BURCHARD, CHAPTER 13  
TRUSTEE, OF CHAPTER 13 PLAN DEFICIENCIES

**341 MEETING OF CREDITORS:**

Date: 01/11/2011  
Time: 2:00 PM  
Place: Office of the United States Trustee  
777 Sonoma Ave., First Floor, #116  
Santa Rosa, CA 95404

**CONFIRMATION HEARING:**

Date: 2/9/2011  
Time: 1:30 PM  
Place: United States Bankruptcy Court  
99 South E Street  
Santa Rosa, CA 95404

DAVID BURCHARD, Chapter 13 Trustee in the above-entitled action, cannot recommend Confirmation of the Chapter 13 Plan proposed hereunder by Debtor(s) for the following reason(s).

1. Trustee requests a signed copy of Debtors' 2009 Federal Income Tax Return. Debtors' tax return is due seven days prior to the Debtors' 341 Meeting of Creditors.
2. Paragraph 11 of the Debtors' plan indicates the lien on the Debtors' real property held by Addison Avenue Fcu shall be voided. The Trustee requests that Debtors' Notice and Motion to Avoid Lien be filed and resolved prior to confirmation.
3. Schedule J reflects a monthly expense of \$90.00 for "Pet food and vet expenses", however, no pets are reflected on Schedule B. The Trustee requests clarification.

PLEASE TAKE NOTICE that, without prior notice, at the above-referenced confirmation hearing date assigned to your Chapter 13 case, the Court may DISMISS the above-referenced case upon making a determination that Debtor(s) has/have not presented a feasible Plan, Debtor(s) has/have not made the required payments under the Plan, Debtor(s) has/have violated the statutory debt limitations set for a Chapter 13 case, Debtor(s) has/have not filed this proceeding in good faith, Debtor(s) has/have not provided documents and/or Schedules and Plan as required under the Bankruptcy code, and/or Debtor(s) has/have not provided the Trustee with Payment Advices or Declarations.

Dated: December 21, 2010

DAVID BURCHARD

DAVID BURCHARD, Chapter 13 Trustee

Certificate of Mailing

I, WENDY KARNES, the undersigned, certify that:

I am over the age of 18 years and not a party to this action. I am employed by the Trustee whose business address is 393 Vintage Park Drive, Suite #150, Foster City, CA. On the date set forth below, I served a copy of the NOTICE BY DAVID BURCHARD, CHAPTER 13 TRUSTEE, OF CHAPTER 13 PLAN DEFICIENCIES, and this Certificate of Mailing, on the persons listed below by following our ordinary business practice for service, which is either deposited in the ordinary course of business with the U.S. Postal Service by first class mail or served by electronic transmission from the Court, if applicable. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

STEVEN and HEIDI C MARTINEZ  
147 QUARRY RIDGE CT  
HEALDSBURG, CA 95448

DANIEL B. BECK  
BECK LAW, P.C.  
2681 CLEVELAND AVE.  
SANTA ROSA, CA 95403

United States Trustee  
235 Pine Street, Suite 700  
San Francisco, CA 94104

Dated: December 21, 2010

WENDY KARNES

WENDY KARNES (NSJ)